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9 Attorneys for Defendant

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF ARIZONA**

12 Thomas Kim,  
13 Plaintiff,  
14 v.  
15 United States of America,  
16 Defendant.  
17

**2:16-cv-00778-APG-CWH**

**MOTION FOR EXTENSION OF TIME  
TO REPLY TO PLAINTIFF'S  
RESPONSE TO MOTION TO DISMISS  
(First Request)**

18 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant respectfully  
19 requests that the Court extend by 30 days the time within which Defendant must reply to  
20 Plaintiff's response to Defendant's Motion to Dismiss. This is Defendant's first request for  
21 additional time to reply.

22 In support of this motion, Defendant relies upon the following:

- 23 1. Federal Rule of Civil Procedure 6(b)(1)(A) permits a party to extend a deadline  
24 prior to its expiration upon a showing of "good cause".
- 25 2. Plaintiff's response to the pending motion to dismiss was filed on October 18,  
26 2016, making the reply due on October 25, 2016.
- 27 3. Due to other case commitments, travel, and scheduling issues, counsel for  
28 Defendant will not have sufficient time to adequately reply to Plaintiff's response.

1 4. Counsel for Plaintiff does not oppose this extension of time.

2 5. This extension is requested in good faith and not for purposes of delay.

3  
4 Respectfully submitted this 25<sup>th</sup> day of October, 2016.

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6 JOHN S. LEONARDO  
United States Attorney  
7 District of Arizona

8 *s/ Katherine V. Foss*  
9 KATHERINE V. FOSS  
J. COLE HERNANDEZ  
10 Special Attorneys to the Attorney General

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13 **IT IS SO ORDERED:**

14 **Defendant's motion for extension of time to reply to Plaintiff's Opposition to**  
15 **Defendant's Motion to Dismiss (Doc. 22) is hereby granted. Defendant's reply shall**  
16 **be due on or before November 24, 2016.**

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18 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
19 Dated: October 26, 2016.  
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